



DEPARTMENT OF TRANSPORTATION


Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

MEMORANDUM

March 6, 2012

TO: Isiah Leggett
County Executive

FROM: Arthur Holmes, Jr., Director 
Department of Transportation

SUBJECT: Maryland House Bill 946: Recommendation of the Pedestrian, Bicycle and Traffic Safety Advisory Committee

Attached, is a recommendation of the Pedestrian, Bicycle and Traffic Safety Advisory Committee (PBTSAC) to support Maryland House Bill 946, enabling bicyclists to ride on sidewalks unless explicitly prohibited by a local jurisdiction. If enacted, House Bill 946 would change the State law to be consistent with the current Montgomery County and City of Rockville law that allows bicyclists to use sidewalks. The PBTSAC has requested that their recommendation be transmitted to our Intergovernmental Relations Office and their support of House Bill 946 be communicated to legislators in Annapolis.

Thank you for your consideration and attention to this matter.

AH:jd

cc: Michael Subin, Office of the County Executive
Melanie Wenger, Office of Intergovernmental Relations
Erwin Mack, PBTSAC
Steve Friedman, PBTSAC

Office of the Director

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Located one block west of the Rockville Metro Station



PEDESTRIAN, BICYCLE AND TRAFFIC SAFETY ADVISORY COMMITTEE
MEMORANDUM

March 2, 2012

To: Isiah Leggett
County Executive

From: Erwin Mack, Chairman
Pedestrian, Bicycle, and Traffic Safety Advisory Committee

Subject: Maryland House Bill 946 – Riding on Sidewalks

David Anspacher
Ramin Assa
Thomas Didone
Darrel Drobnich
Valerie Ervin
Steve Friedman
Angel Garcia-Ablanque
Arthur Holmes, Jr.
Erwin Mack, Chair
Alan Migdall
Colleen Mitchell
Peter Moe
Alyce Ortuzar
Reemberto Rodriguez
David Sharp
Jack Strausman

The Pedestrian, Bicycle and Traffic Safety Advisory Committee (PBTSAC) held its March meeting last night and considered recently introduced legislation to modify current State law that prohibits bicycles from riding on sidewalks: House Bill 946. The committee voted unanimously to recommend that the County support House Bill 946 because it would make State law consistent with Montgomery County's current law allowing bicycles to ride on sidewalks.

The PBTSAC mission is to provide advice to the County Council and County Executive on priorities and needs for improving pedestrian and bicycle safety. As this legislation has significant ramifications for the safety of bicyclists in Montgomery County, the PBTSAC is requesting the Office of Intergovernmental Relations communicate the committee's interest supporting House Bill 946 to the members of the General Assembly:

- House Bill 946 – Riding on Sidewalks as introduced by Delegates A. Miller, Carr, Kaiser and S. Robinson seeks to clarify through repeal and reenactment of Transportation Sections 11-104, 21-101(m), and 21-1103 of the Annotated Code of Maryland. The current articles in these sections of the code are confusing to cyclists and others who may be unaware when it is and when it is not permissible to utilize the sidewalk for safe and legal passage while riding a bicycle. House Bill 946 seeks to eliminate this confusion by clearly stating that riding on a sidewalk within the State of Maryland is allowed unless local jurisdictions/municipalities explicitly prohibit it.

Bicycling is an activity that provides significant health and environmental benefits and is one of the best modes of transportation people can choose for commuting and utilitarian travel. The proposed modification to the code is necessary to adequately reduce confusion over the rules of the road and to reduce the potential for road rage and the potential for accompanying aggressive driving/riding incidents. Under current Maryland law, the ability for bicycles to use the sidewalk is not expressly clear. The current State law prohibits bicycles from riding on sidewalks unless local jurisdictions explicitly allow it; Montgomery County, as well as the City of Rockville, have enacted laws that explicitly allow bicycles to use sidewalks, while yielding to pedestrians. House Bill 946 would make State law consistent with what Montgomery County law already explicitly allows.

Department of Transportation

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As the number of Marylanders utilizing bicycles for all purposes continues to increase, it should be easy for cyclists to understand that they are permitted to use the sidewalk. This is especially true in cases when the cyclist is a minor or someone new to cycling. While cyclists are legally permitted to ride on the road, it is not reasonable to expect that all cyclists are comfortable using the road. In these situations, cyclists should be able to use the sidewalk.

Please note, we are not suggesting that cyclists be required to ride on the sidewalk, just that the law is clear that within the State of Maryland, it is permissible unless explicitly prohibited by a local jurisdiction. We would like to emphasize that this clarification will be of value to all road-users not just bicyclists. But it would make it more important for local jurisdictions to educate residents and clearly communicate any prohibitions to the ability to ride on the sidewalk.

We are asking the legislature to amend the law to promote clarity and bicycle safety. If you have any questions regarding this request, please contact Steve Friedman, member of the PBTSAC and chair of our Bicycle Access and Safety subcommittee, at 240-472-6316.

IL:lh